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12 **UNITED STATES DISTRICT COURT**

13 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

14 SUNIL KUMAR, Ph. D., PRAVEEN
15 SINHA, Ph. D.,

16 Plaintiffs,

17 v.

18 DR. JOLENE KOESTER, in her
official capacity as Chancellor of
19 California State University, LARRY L.
ADAMSON, DIANA AGUILAR-
20 CRUZ, DIEGO ARAMBULA, JACK
B. CLARKE JR., ADAM DAY,
21 DOUGLAS FAIGIN, JEAN P.
FIRSTENBERG, WENDA FONG,
22 LESLIE GILBERT-LURIE, LILLIAN
KIMBELL, MARIA LINARES, JULIA
23 I. LOPEZ, JACK MCGRORY, ANNA
ORTIZ-MORFIT, YAMMILETTE
24 RODRIGUEZ, ROMÉY SABALIUS,
LATEEFAH SIMON, CHRISTOPHER
25 STEIN HAUSER, and JOSE
ANTONIO VARGAS, in their
26 official capacities as trustees of
California State University,

27 Defendants.
28

Case No. 2:22-cv-07550-RGK-MAA

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE OF
TRUSTEE DEFENDANTS**

Judge: R. Gary Klausner
Trial Date: Not Set

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8 Attorneys for Defendants
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RECITALS

On October 17, 2022 Plaintiffs SUNIL KUMAR and PRAVEEN SINHA filed this action against twenty Defendants – (i) DR. JOLENE KOESTER (in her official capacity as Chancellor of California State University) and (ii) each appointed trustee of the Board of Trustees of the California State University, LARRY L. ADAMSON, DIANA AGUILAR-CRUZ, DIEGO ARAMBULA, JACK B. CLARKE JR., ADAM DAY, DOUGLAS FAIGIN, JEAN P. FIRSTENBERG, WENDA FONG, LESLIE GILBERT-LURIE, LILLIAN KIMBELL, MARIA LINARES, JULIA I. LOPEZ, JACK MCGRORY, ANNA ORTIZ-MORFIT, YAMMILETTE RODRIGUEZ, ROMEO SABALIUS, LATEEFAH SIMON, CHRISTOPHER STEINHAUSER, and JOSE ANTONIO VARGAS, in their official capacities only (together, the “Trustee Defendants”). On December 14, 2022, Defendants filed their Answer.

The parties subsequently agreed to minimize the time and expense of litigation based upon Defendants’ confirmation, through their counsel, that the Chancellor agrees to take all necessary and appropriate steps to implement any orders of this Court, the Ninth Circuit, and/or the Supreme Court in this matter; and that the Trustee Defendants agree to be bound by any orders issued by this court, the Ninth Circuit, and/or the Supreme Court in this matter, regardless of whether they are named as defendants in this action, to the extent necessary to effectuate such orders.

STIPULATION

Plaintiffs and Defendants, by and through their respective counsel of record, hereby stipulate and agree as follows, pursuant to Federal Rule of Civil Procedure 15(a)(2) and Local Rule 7-1.

1. No later than March 6, 2023 (or an alternative date specified in the Court’s Order on this stipulation), Plaintiffs will file a First Amended Complaint against the following defendant only: DR. JOLENE KOESTER (in her official capacity as the Chancellor of California State University). As required by Local Rule 15-1, Plaintiffs’ proposed First Amended Complaint is attached to this stipulation as

1 Attachment 1.

2 2. The filing of the First Amended Complaint will, by operation of law,
3 serve to dismiss the Trustee Defendants, and the dismissal shall be without prejudice.

4 3. If, during the course of this action, Plaintiffs or the Court determine it is
5 necessary to obtain all of their requested relief, Defendant will not oppose the addition
6 or some or all of the Trustee Defendants as parties, and counsel for Defendants will
7 obtain authorization to accept service on their behalf.

8 4. Counsel for Defendants are authorized to and will accept service of
9 process on behalf of DR. JOLENE KOESTER (in her official capacity as Chancellor
10 of California State University).

11 5. DR. JOLENE KOESTER (in her official capacity as Chancellor of
12 California State University) shall take all necessary and appropriate steps to
13 implement any orders of this Court, the Ninth Circuit, and/or the Supreme Court in
14 this matter.

15 6. The Trustee Defendants stipulate and agree to be bound by any orders
16 issued by this Court, the Ninth Circuit, and/or the Supreme Court in this matter,
17 regardless of whether they are named as defendants in this action, to the extent
18 necessary to effectuate such orders.

19 7. The deadline to file a responsive pleading to the First Amended
20 Complaint shall be March 20, 2023 (or an alternative date specified in the Court's
21 Order on this stipulation).

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1 **IT IS SO STIPULATED.**

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3 Dated: February 27, 2023

QUARLES & BRADY LLP

4
5 By: /s/ Jeffrey P. Michalowski

6 RICHARD A. PAUL

7 JEFFREY P. MICHALOWSKI

8 MATTHEW W. BURRIS

ADRIELLI FERRER

9 Attorneys for Defendant

10
11
12 Dated: February 27, 2023

FOX ROTHSCHILD, LLP

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14 By: /s/ John J. Shaeffer

15 JOHN J. SHAEFFER

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